

REMARKS

Claims 1 - 6, 8 - 10, and 12 - 14 are pending, with claims 7 and 11 having been canceled above, and claims 8 and 9 having been amended above.

At page 2, numbered paragraph 2, of the Office Action dated April 5, 2005, it is believed that the words "and 9/15/2004" should be omitted, since the only declaration that was filed was filed with the filing of the application papers on March 25, 2004.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,416,639 to Yamanashi. Reconsideration of this rejection is respectfully requested. Yamanashi fails to disclose the limitation at the last two lines of claim 1, namely, that "... the fourth lens group is positioned nearer the reducing side when at the telephoto end than when at the wide-angle end". In Yamanashi, (as is apparent from Figs. 1 - 5 and 7 thereof), the fourth lens group is positioned nearer the object magnifying side (i.e., the left side of the figures) when at the telephoto end (T) than when at the wide-angle end (W). Although the Examiner refers to column 3, lines 21 - 57, of Yamanashi as being pertinent to the rejection, there is no teaching there that supports the Examiner's statement of rejection.

Claims 1, 3, 8, and 12 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,636,361 to Wada. Reconsideration of this rejection is respectfully requested. As to claim 1 and claim 3 (which depends from claim 1), Wada fails to disclose the limitation at the last two lines of claim 1, namely, that "... the fourth lens group is positioned nearer the reducing side when at the telephoto end than when at the wide-angle end". In Wada (as is apparent from Figs. 1A and 1B), the fourth lens group is positioned nearer the object magnifying side (i.e., the left side of the figures) when at the telephoto end than when at the wide-angle end. Although the Examiner refers to column 6, lines 1 - 11, of Wada as teaching this limitation, there is no teaching at that location that supports the Examiner's statement of rejection. As to claim 8 and claim 12 (that depends from claim 8), Wada fails to disclose the limitation at the last two lines of claim 8, namely, that "... the fourth lens group is positioned nearer the reducing side when at the telephoto end than when at the wide-angle end" as discussed above for claims 1 and 3. Although the Examiner refers to column 6, lines 1 - 11, of Wada as teaching this limitation, there is no teaching at that location that supports the Examiner's statement of rejection. Therefore, it is respectfully requested that the rejection of claims 1, 3, 8 and 12 be reconsidered


and withdrawn.

Claims 2, 4, 9, 10, 13 and 14 stand objected to as being dependent upon a rejected claim. Reconsideration of this objection is respectfully requested. As to claims 2 and 4, as discussed above, it is believed that the rejection of claim 1 is improper and should be withdrawn. Thus, claims 2 and 4 should no longer be objected to for being dependent upon a rejected claim. As to claim 9 and to claim 13 (which is dependent on claim 9), claim 9 has been amended so that it now is written in independent form including all the limitations of claim 7 from which it previously depended. Thus, the objection to claims 9 and 13 is now improper and should be withdrawn. As to claims 10 and 14, which depend (directly and indirectly, respectfully) from claim 8, claim 8 has been amended so that it is now written in independent form including all the limitations of claim 7 from which it previously depended. As discussed above, it is believed that the rejection of claim 8 is improper and should be withdrawn. Thus, the objection to claims 10 and 14 is believed to be improper and should be withdrawn, since these claims no longer depend from a claim that may be properly rejected on the prior art of record.

The Examiner is thanked for having indicated in the first Office Action that claims 5 and 6 have been allowed. Having now canceled claims 7 and 11, having argued the rejection of claims 1, 3 and 8, and having amended claims 8 and 9 so that these claims are each now written in independent form, it is respectfully submitted that, unless more pertinent prior art is found by the Examiner, claims 1 - 4 and 8 - 10 and 12 - 14 should now also be allowable. Accordingly, an early Notice of Allowability is earnestly solicited. Attached hereto is a check in the amount of \$200.00 to cover the fee one additional independent claim in excess of 3 independent claims. If any additional fee(s) are required, please charge the undersigned's Deposit Account No. 01-2509.

Respectfully submitted,

ARNOLD INTERNATIONAL

By   
Bruce Y. Arnold  
Reg. No. 28,493

(703) 759-2991

P.O. Box 129  
Great Falls, VA 22066-0129